

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

SAN CRISTOBAL ACADEMY, INC.,  
and DAVID C. JOHNSON,

Plaintiffs,

vs.

Civ. No. 10-1152 KG/KK

TRANSITIONAL LIVING CORPORATION,  
TED EARL, and STEPHEN COLE,

Defendants.

TRANSITIONAL LIVING CORPORATION,

Counter Claimant,

vs.

DAVID C. JOHNSON and SAN CRISTOBAL  
ACADEMY, INC.,

Counter Defendants.

ORDER


This matter comes before the Court upon Craig Keller, Esq.; Matthew Jackson, Esq.; and Charles Peifer, Esq.'s Motions to Withdraw as Counsel for Transitional Living Corporation (Motions to Withdraw), filed in July 2012. (Docs. 108 and 109). On August 10, 2012, the Court deferred ruling on the Motions to Withdraw "until after the lifting of the bankruptcy stay." (Docs. 114 and 115). The bankruptcy case has now been closed and the Court will, therefore, consider the Motions to Withdraw. Notice of Closure of Bankruptcy Case (Doc. 175).

Counsel move to withdraw representation under D.N.M. LR-Cv 83.8(b), which counsel have complied with. Counsel, however, neglected to comply with Rule 83.8(c). Rule 83.8(c) states:

A motion to withdraw from representation of a corporation ... must include a notice that the corporation ... can appear only with an attorney. Absent entry of appearance by a new attorney, any filings made by the corporation ... may be stricken and default judgment or other sanctions imposed.

Because counsel did not comply with Rule 83.8(c), the Court denies the Motions to Withdraw as filed.

IT IS ORDERED that the Motions to Withdraw as Counsel for Transitional Living Corporation (Docs. 108 and 109) are denied at this time.



UNITED STATES DISTRICT JUDGE